

ROLL CALL

Taxation Committee

House of Representatives

Date: 4.2.07

NAME (18 Members)	PRESENT	ABSENT or EXCUSED
Chairman B. LAKE	✓	
Vice Chair J. SONJU	✓	
Vice Chair J. COHENOUR	✓	
Rep. N. BIXBY	✓	
Rep. M. BLASDEL	✓	
Rep. E. BUTCHER	✓	
Rep. R. ERICKSON	✓	
Rep. W. GRINDE	✓	
Rep. R. HAMILTON	✓	
Rep. E. HILBERT	✓	
Rep. M. JOPEK	✓	
Rep. C. LAMBERT	✓	
Rep. G. MacLAREN	✓	
Rep. D. McALPIN	✓	
Rep. B. NOONEY	✓	
Rep. J.P. POMNICHOWSKI	✓	
Rep. J. ROSS	✓	
Rep. C. VINCENT	✓	



Acc. Deb
Bm 451

HOUSE STANDING COMMITTEE REPORT

April 2, 2007
Page 1 of 2

Mr. Speaker:

We, your committee on Taxation recommend that Senate Bill 233 (third reading copy -- blue) be concurred in as amended.

Signed: _____

Bob Lake
Representative Bob Lake, Chair

To be carried by Representative Robin Hamilton

And, that such amendments read:

1. Page 5.

Following: line 26

Insert: "COORDINATION SECTION. Section 13. Coordination instruction. If Senate Bill No. 299 and [this act] are both passed and approved and they contain a section amending 7-16-2205, then the sections amending 7-16-2205 are void and 7-16-2205 must be amended as follows:

"7-16-2205. **Authorization for mill levy.** (1) The board of county commissioners of any county ~~owning, acquiring, contributing, or making a grant to any museum, facility for the arts and the humanities, or collection of exhibits as set forth in 7-16-2202:~~

(a) ~~(i)~~ may make an appropriation in its annual budget for:
(i) the upkeep, care, maintenance, operation, and support of the a museum, including a museum district created under [sections 1 through 9 of Senate Bill No. 233], a facility for the arts and the humanities, or a collection of exhibits as set forth in 7-16-2202;

(ii) the support of a heritage preservation and cultural tourism commission and for heritage and cultural tourism resources;

~~(ii)(iii) may make an appropriation in its annual budget for a grant program for private, nonprofit museums, and for private, nonprofit facilities for the arts and the humanities, or for a heritage preservation and cultural tourism commission; and~~

(b) ~~in order to fund the appropriation or grant program,~~ may, subject to 15-10-420, annually levy a tax on the taxable

Committee Vote:

Yes 16, No 2

Fiscal Note Required ____

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valuation of the property subject to taxation in the county for the purposes described in subsection (1)(a) of this section. However, a levy for a museum district applies only to the property subject to taxation in the district.

(2) The levy must be made at the same time as other levies are made for county and school purposes.

(3) The proceeds from the collection of the levy must be kept in a special fund by the county treasurer and used, at the discretion of the board of county commissioners, solely for the purpose for which the levy was made.

(4) A board of trustees of a museum district appointed as provided in [section 7 of Senate Bill No. 233] may request the board of county commissioners to submit to the voters of the district at the next general or special election a levy on taxable property in the district for operation of the district or for maintenance or construction within the district."

- END -



HOUSE STANDING COMMITTEE REPORT

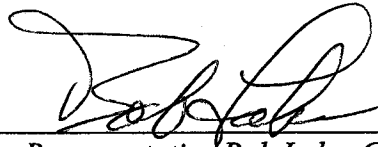
April 2, 2007

Page 1 of 2

Mr. Speaker:

We, your committee on **Taxation** recommend that **Senate Bill 525** (third reading copy -- blue) be concurred in as amended.

Signed:


Representative Bob Lake, Chair

To be carried by Representative Dave McAlpin

And, that such amendments read:

1. Page 22, line 10.

Insert: "COORDINATION SECTION. **Section 29. Coordination instruction.** If Senate Bill No. 118 and [this act] are both passed and approved and they contain a section amending 15-66-102, then the sections amending 15-66-102 are void and 15-66-102 must be amended as follows:

"15-66-102. (Temporary) Utilization fee for inpatient bed days. (1) Each hospital in the state shall pay to the department a utilization fee:

(a) in the amount of ~~\$19.43~~ \$27.70 for each inpatient bed day between January 1, ~~2004~~ 2006, and June 30, ~~2005~~ 2007;

(b) in the amount of ~~\$29.75~~ \$47 for each inpatient bed day between July 1, ~~2005~~ 2007, and December 31, ~~2005~~ 2007;

(c) in the amount of ~~\$27.70~~ \$43 for each inpatient bed day between January 1, ~~2006~~ 2008, and December 31, ~~2006~~ 2008;

(d) in the amount of \$48 for each inpatient bed day between January 1, 2009, and December 31, 2009; and

(d)(e) after beginning January 1, ~~2007~~ 2010, in an amount determined by rule as provided in subsection (2) in the amount of \$50 for each inpatient bed day.

~~(2) Prior to each calendar year that will be subject to the fee, the department by rule shall determine the amount of the fee, not to exceed \$50, based upon:~~

~~(a) an estimate of the unpaid medicaid hospital costs, total inpatient days, and the federal medical assistance percentages;~~

~~(b) an estimate of any federal limit on federal financial~~

Committee Vote:

Yes 18, No 0

Fiscal Note Required ☐

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~~participation for hospital services; and~~

~~(c) an estimate of federal disproportionate share funds not matched by state general funds.~~

~~(3)(2)~~ (a) All proceeds from the collection of utilization fees, including penalties and interest, must, in accordance with the provisions of [section 1 of Senate Bill No. 525], be deposited to the credit of the department of public health and human services in a state special revenue account as provided in 53-6-149.

~~(b) A hospital may not place a fee created in this chapter on a patient's bill. (Void on occurrence of contingency--sec. 18, Ch. 390, L. 2003. Terminates June 30, 2007--secs. 4, 7, Ch. 606, L. 2005.) ""~~

Renumber: subsequent sections

- END -



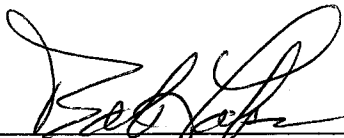
HOUSE STANDING COMMITTEE REPORT

April 2, 2007
Page 1 of 2

Mr. Speaker:

We, your committee on **Taxation** recommend that **Senate Bill 242** (third reading copy -- blue) be concurred in as amended.

Signed: _____


Representative Bob Lake, Chair

To be carried by Representative Bob Lake

And, that such amendments read:

1. Title, line 6.

Following: "INFORMATION;"

Insert: "INCREASING THE MINIMUM TAX ON CORPORATIONS;"

Strike: "SECTION"

Insert: "SECTIONS 15-31-121 AND"

2. Page 1, line 11.

Following: line 10

Insert: "Section 1. Section 15-31-121, MCA, is amended to read:

"15-31-121. Rate of tax -- minimum tax -- distribution of revenue. (1) Except as provided in subsection (2), the percentage of net income to be paid under 15-31-101 is 6 3/4% of all net income for the tax period.

(2) For a taxpayer making a water's-edge election, the percentage of net income to be paid under 15-31-101 is 7% of all taxable net income for the tax period.

(3) Each corporation subject to taxation under this part shall pay a minimum tax of not less than \$50 \$55.

(4) For fiscal year 2005, the tax collected from water's-edge corporations must be deposited as follows:

(a) \$375,000 in the state special revenue fund to the credit of the department of public health and human services for state matching funds to maximize federal funds for medicaid health services; and

(b) the balance in the state general fund."

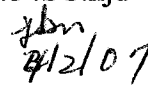
Renumber: subsequent sections

Committee Vote:

Yes 12, No 6

Fiscal Note Required X

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HOUSE STANDING COMMITTEE REPORT

April 2, 2007
Page 1 of 2

Mr. Speaker:

We, your committee on **Taxation** recommend that **Senate Bill 121** (third reading copy -- blue) be concurred in as amended.

Signed: 
Representative Bob Lake, Chair

To be carried by Representative Bob Lake

And, that such amendments read:

1. Title, line 7.

Following: "AUTHORITY;"

Insert: "PROHIBITING THE DEPARTMENT OF REVENUE FROM PROVIDING
ACTIVE OR PASSIVE TAX RETURN PREPARATION SERVICES;"

2. Page 1, line 12.

Following: "(1)"

Insert: "(a)"

Strike: "A"

Insert: "Subject to subsection (1)(b), a"

3. Page 1.

Following: line 14

Insert: "(b) The provisions of this section do not prevent the
bona fide sale of a tax return preparation, accounting, or
law practice in the ordinary course of business."

4. Page 1, line 17.

Following: "(A)"

Insert: "(i)"

Following: "disclosure;"

Insert: "or

(ii) disclosure is required in connection with an internal
audit;"

5. Page 2, line 6.

Committee Vote:

Yes 17, No 1

Fiscal Note Required ☐

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Insert: "information"

Insert: ":

(a) "

Following: "reviews"

Insert: ";

(b) "

Strike: "or"

6. Page 2, line 7.

Strike: "statutorily"

Following: "so"

Insert: "by Montana law;

(c) when required to do so by federal or state law; or

(d) pursuant to a court subpoena or administrative summons"

7. Page 3, line 2.

Insert: "NEW SECTION. Section 2. Prohibition on tax return preparation services. (1) The department is prohibited from using any funds made available through any legislative appropriation to contract for the use of, lease, own, or otherwise use any software program that allows an individual to submit tax return information directly to the department, any political subdivision, or any third-party contractor.

(2) The department may not perform any function of a tax preparer as described in [section 1]. The department may not use any software program that accepts the transfer of an individual taxpayer's return information to any computer program over which the department exerts legal control. All individual tax returns submitted electronically must have at least one verifiable level of intervention. The restriction does not include programs used by private sector tax preparers, programs used for electronic filing, or programs used by the internal revenue service to process state information in conjunction with a federal tax return."

Renumber: subsequent sections

8. Page 3, line 4.

Strike: "[section 1]"

Insert: "[sections 1 and 2]"

9. Page 3, line 6.

Strike: "and 2"

Insert: "through 3"

10. Page 3, line 8.

Strike: "and 2"

Insert: "through 3"

- END -



HOUSE STANDING COMMITTEE REPORT

April 2, 2007

Page 1 of 2

Mr. Speaker:

We, your committee on **Taxation** recommend that **Senate Bill 492** (third reading copy -- blue) be concurred in as amended.

Signed: _____

Bob Lake
Representative Bob Lake, Chair

To be carried by Representative Carol Lambert

And, that such amendments read:

1. Title, line 5.

Strike: ", CITY, OR"

2. Title, line 6.

Strike: "TOWN"

Strike: "SECTIONS 7-1-4124 AND"

Insert: "SECTION"

3. Page 1, line 11 through page 2, line 16.

Strike: section 1 in its entirety

Renumber: subsequent sections

4. Page 2, line 20.

Strike: "city, or town"

5. Page 2, line 21.

Following: "~~\$10,000~~"

Insert: "in an amount in excess of \$20,000"

Following: "~~\$40,000~~"

Insert: "in an amount in excess of \$80,000"

6. Page 1, line 22.

Following: "by"

Insert: "the value of the property or conservation easement has been previously estimated by"

Committee Vote:

Yes 18, No 0

Fiscal Note Required ☐

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7. Page 2, line 23 through line 24.

Strike: "FOR" on line 23 through "BY" on line 24

8. Page 2, line 25 through line 26.

Strike: "or by" on line 25 through "landowner" on line 26

9. Page 2, line 27 through line 28.

Strike: "FOR" on line 27 through "BY" on line 28

10. Page 2, line 28 through line 29.

Strike: ", city" on line 28 through "appropriate," on line 29

11. Page 2, line 30.

Following: "county"

Strike: "," through "TOWN"

Following: "appraised"

Insert: "appraised"

12. Page 2, line 30 through page 3, line 1.

Strike: "DETERMINED" on page 2, line 30 through "(1)" on page 3,
line 1

- END -

COMMITTEE FILE COPY

TABLED BILL

The **HOUSE TAXATION COMMITTEE** TABLED **SB 416**, by motion, on **Monday, April 2, 2007**.

Comments: SB 416 (Kaufmann)



(For the Committee)



(Chief Clerk of the House)

4:45

(Time)

4/2

(Date)

April 2, 2007

Debra L. Polhemus, Secretary

Phone: 4877

ROLL CALL VOTE
Taxation Committee
House of Representatives

Date: 4.2.07

Bill No.: SB242

Motion No. : _____

Motion: do concur as amended

NAME (18 Members)	AYE	NO	Proxy
Vice Chair J. SONJU	✓		
Vice Chair J. COHENOUR	✓		
Rep. W. GRINDE	✓		✓
Rep. B. NOONEY	✓		
Rep. D. McALPIN	✓		✓
Rep. G. MacLAREN	✓		
Rep. N. BIXBY	✓		
Rep. C. LAMBERT		✓	
Rep. J.P. POMNICHOWSKI	✓		
Rep. E. HILBERT		✓	
Rep. C. VINCENT		✓	
Rep. M. JOPEK	✓		
Rep. E. BUTCHER		✓	
Rep. R. ERICKSON	✓		
Rep. M. BLASDEL		✓	
Rep. R. HAMILTON	✓		
Rep. J. ROSS		✓	
Chairman B. LAKE	✓		

VOTE: 12.6 passes

ROLL CALL VOTE
Taxation Committee
House of Representatives

Date: 4-2-07

Bill No.: SB 416

Motion No. : _____

Motion: Be concurred as amended

NAME (18 Members)	AYE	NO	Proxy
Vice Chair J. SONJU		X	
Vice Chair J. COHENOUR	X		
Rep. W. GRINDE	X		X
Rep. B. NOONEY		X	
Rep. D. McALPIN	X		X
Rep. G. MacLAREN		X	
Rep. N. BIXBY	X		
Rep. C. LAMBERT		X	
Rep. J.P. POMNICHOWSKI	X		
Rep. E. HILBERT		X	
Rep. C. VINCENT		X	
Rep. M. JOPEK		X	
Rep. E. BUTCHER		X	
Rep. R. ERICKSON	X		
Rep. M. BLASDEL		X	
Rep. R. HAMILTON	X		
Rep. J. ROSS		X	
Chairman B. LAKE		X	

7 - 11

VOTE: _____

AUTHORIZED COMMITTEE PROXY

I request to be excused from the taxation

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. J. Sonju

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
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4/1

SB553 - do concur	✓	
SB281 - do concur	✓	
SB552 - do concur	✓	
SB436 - be amend.	✓	
" - be amend.	✓	
" - be ^{as amend} concurred		✓
SB220 Amend. SB22001.	✓	
SB220	✓	
SB 105 16-2	✓	

4/2

SB233:		
be amended	✓	
do con as amd.	✓	
SB121:		
be amended	✓	
do con as amd.	✓	

Rep. Chas Vincent
(Signature)

Date 4/13/07

Chas Vincent

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Taxation

Committee because of other commitments. I desire to leave my proxy vote with:

Vice Chair Rep. J. Sonju

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT AYE NO

3/9

SB76	✓	
HB746 amend	✓	
HB746	✓	
SB21 amend	✓	
SB21	✓	
SB69	✓	
SB88 amend	✓	
SB88	✓	
SB99		✓
SB99 Table	✓	
HB793		✓
HB793 Table	✓	

4/2

BILL/AMENDMENT AYE NO

SB 233:		
be amended	✓	
do con. as amend.	✓	

Rep. Carol Lambert
(Signature)
C. Lambert

Date 3/9/07

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Tax

Committee because of other commitments. I desire to leave my proxy vote with:

Jack Keenan

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT AYE NO

BILL/AMENDMENT AYE NO

4/2/07

SB052601.ajj	✓	
DCAA SB525	✓	
SB024201.ajj	✓	
DCAA SB242	✓	
SP012101.ajj	✓	
SP012101.ajj		
SP012101.ajj	✓	
SB121 DCAA	✓	
Reconsider SB492	✓	
SB049201.ajj	✓	
DCAA SB492	✓	
DPSP041601.ajj	✓	
SB 416 DCAA	✓	
Table 416	✓	

Rep.

Dave McLaughlin
(Signature)

Date

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Tax

Committee because of other commitments. I desire to leave my proxy vote with:

Jack McCherow

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

BILL/AMENDMENT

AYE NO

2/15/07	DP HB623	✓	
2/23/07	TABLE HB 787	✓	
	DP HB077801.agp	✓	
	DP HB778	✓	
	DP HB064401.agp	✓	
	DPAA HB644	✓	
Files	DP HB598	✓	
	TABLE	✓	
	DP HB463	✓	
3/9/07	SB76	✓	
4/2/07	SB024201.agp	✓	
	DLAA SB242	✓	
	SB012101.agp	✓	
	TABLE SB242		

SB012101.agp	✓	
SB 121 DLAA	✓	
Reconsider SB492	✓	
SB049201.agp	✓	
DLAA SB492	✓	
SB041601.agp	✓	
SB416 DLAA	✓	
Table SB416	✓	

Rep. Konda Grinde
(Signature)

Date _____

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Taxation

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. J. Sonju

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

BILL/AMENDMENT

AYE NO

3/30 ↓

HB 842:		
be amended		✓
do pass		✓
be tabled/vote	✓	
rev.		
HB 843:		
be amended	✓	
do pass as am.	✓	
SB 539:		
be amended	✓	
be conc. as am.	✓	
HB 838:		
do pass		✓
be tabled/vote	✓	
rev.		

4/2

SB 233:		
be amended	✓	
do conc. as am.	✓	

Rep. Edward E. Butcher
(Signature)

Date 3/31/07

Rep. E. Butcher

AUTHORIZED COMMITTEE PROXY

I request to be excused from the Taxation

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. J. Whelan

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

BILL/AMENDMENT

AYE NO

4/2

SB233:		
be amended	✓	
do con. as amnd.	✓	

Rep. R Hamilton
(Signature)

Date _____

VISITORS REGISTER

Montana House of Representatives TAXATION COMMITTEE

Date: April 2, 2007

Bill No: HB 833

Sponsor(s): Rep. Wayne Stahl

(20-20 tax plan ~~ school mills income tax credit and increase exemption amount)

Please print ~ Please print ~ Please print ~ Please print ~ Please print

NAME	REPRESENTING	Support	Oppose	Informt'l

*Please leave prepared testimony with Committee Secretary. Witness
Statement forms are available if you care to submit written testimony.*

VISITORS REGISTER

Montana House of Representatives TAXATION COMMITTEE

Date: April 2, 2007

Bill No: SB 316

Sponsor(s): Sen. Jim Elliott

(Clarify taxation of agricultural parcels reduced by public use by government)

Please print ~ Please print ~ Please print ~ Please print ~ Please print

NAME	REPRESENTING	Support	Oppose	Informt'l
John Youngberg	MFBF	x		

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you care to submit written testimony.